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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to: 703-872-9306, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10-13-03

Date:

Himanshu S. Amin**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant(s): George Blankenship, *et al.*

Examiner: Matthew S. Gart

Serial No: 09/838,970

Art Unit: 3625

Filing Date: April 20, 2001

Title: SUPPLY CHAIN E-COMMERCE ENABLED BY POINT OF CONSUMPTION
MONITOR

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.131

Dear Sir:

The undersigned, the inventors of the claimed invention of the subject patent application, declare and say as follows:


We reduced the claimed invention to practice prior to the effective date (February 28, 2001) of Spear *et al.* (U.S. 6,486,439 B1). Exhibit A attached herewith is a first page of a disclosure document dated October 17, 2000 in connection with the claimed invention that establishes reduction to practice of the subject invention prior to the effective date of Spear *et al.*

09/838,970


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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and that such willful false statements may jeopardize the validity of the application or any patent issued therein.

Respectfully submitted,


George D. Blankenship

Oct. 8, 2003
Date


Christopher Hsu

Oct 9, 2003
Date